GOVERNMENT OF INDIA
LAW AND JUSTICE
LOK SABHA

UNSTARRED QUESTION NO:2112
ANSWERED ON:30.11.2007
FREE LEGAL AID TO POOR
Athawale Shri Ramdas;Channappa Shri Kunnur Manjunath;Lagadapati Shri Rajagopal

Will the Minister of LAW AND JUSTICE be pleased to state:

(a) the details of the financial assistance provided under Section 12 of legal Services Authority Act, 1987 to various States/Union Territories during the last three years, State - wise/Union Territory-wise

(b) the norms fixed by the Government for seeking free legal assistance under the legal aid scheme;

(c) the number of persons benefited under the scheme during the last three years,state-wise;and

(d) the total number of applications received, sanctioned, rejected and still lying pending for free legal assistance during the above period, State-wise?

Answer

MINISTER OF THE STATE IN THE MINISTRY OF LAW AND JUSTICE (SHRI H.R. BHARDWAJ)

(a): Statements showing details of financial assistance provided by the National Legal Services Authority (NALSA) during the last three financial years are annexued at Annexures `A`,`B` and `C` respectively.

(b): As per the Section 12 of the Legal Services Authorities Act, 1987, every person who has to file or defend a case shall be entitled to legal services if that persons is-

i. a member of Scheduled Caste or Scheduled Tribe,.
ii. a victim of trafficking in human beings or beggar as referred to in Article 23 of the Constitution,
iii. a woman or a child,
iv. a person with disability as defined in clause
(i) of Section 2 of the person with Disabilities (Equal Opportunities, Protection of Rights and Full Participation) Act, 1995.
v. a victim of mass disaster, violence, flood, drought, earthquake,industrial disaster,
vi. an industrial workman,
vii. a persons in custody, including custody in a protective home; or in a juvenile home; or in a psychiatric hospital or psychiatric nursing home.
viii a person whose annual income is less than the amount as prescribed by State Government, if the case is before a court other than the Supreme Court and as prescribed by Central Government, if the case is before the Supreme Court. In case A. before the Supreme Court, the limit was originally fixed at Rs. 12,000/- and now the income ceiling has been raised by the Central Government to Rs. 50,000/-. In regard to cases before the High Courts and Courts subordinate thereto, the income limit was originally Rs, 9,000/- which was resolved to be raised to Rs. 50,000/- in the fourth annual meet of State Legal Services Authorities held on 29.02.2004 and 01.03.2004 at Kolkata. In pursuance to this, 19 States and 3 Union Territories have raised the income limit to Rs. 50,000/- and the remaining States/UTs have also been requested to increase the income limit to Rs. 50,000/-.

(c)&(d): The requisite information is being collected from and will be laid on the Table of the House.